

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... NOV 1 1974  
 Returned to applicant for correction..... DEC 13 1974  
 Corrected application filed..... DEC 27 1974  
 Map filed..... DEC 27 1974 under 28841

The applicant Richard M. Swallow  
So. Spring Valley Rte., of Ely,  
Street and No. or P.O. Box No. City or Town  
Nevada 89301, hereby make<sup>s</sup> application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Spring Creek  
Name of stream, lake or other source.
2. The amount of water applied for is 5.0 second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for Irrigation and Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated) 550 acres; 160 acres primary and 390 acres supplemental
  - (b) Stockwater (state number and kinds of animals to be watered).....
  - (c) Other use (describe fully under "No. 12. Remarks").....
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 32, T.13N., R.68E., unsurveyed, or at a point from which  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
the NW corner of Section 23, T.13N., R.67E., bears North 57°49'40" West, 21,838.61 feet.
6. Place of use Primary use in the NE $\frac{1}{4}$  of Sec. 34 and supplemental use  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
in SW $\frac{1}{4}$ , S $\frac{1}{2}$  of NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 26 and N $\frac{1}{2}$  of NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, all in T 13 N, R 67 E, MDM.
7. Use will begin about January 1st and end about December 31st, of each year.  
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) through ditches and pipelines  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000.00

10. Estimated time required to construct works..... 3 years .....

11. Estimated time required to complete the application to beneficial use..... 5 years

12. **Remarks:** For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is for all unappropriated waters under existing applications and will be used for primary waters in the NE $\frac{1}{4}$  of Section 34, T.13N., R.67E., and for Supplemental waters in the balance of 390 acres in the proposed place of use that is presently covered under applications in good standing.

Applicant Richard M. Swallow

By s/ Kenneth L. Haskew  
Kenneth L. Haskew  
614 High St.  
Ely, Nevada 89301

Compared bs/ga cl/  
Pro. 3-3-75 by El Tejon Cattle Co.

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~<sup>deny</sup> the same, subject to the following limitations and conditions:

.....This application is hereby denied on the grounds that granting said application would not be in the public interest. .... No ruling is made on the merits of the protest. ....

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. .... Issued.....

Recorded.....Bk.....Page.....

.....County Recorder

IN TESTIMONY WHEREOF, I. R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 18th day of March

A.D. 19\_98\_

Office, this 18th day of March,  
1998.  
*Michael Thompson* R.E.  
State Engineer